

**Remarks/Arguments**

Reconsideration of this application is requested.

**Claim Status**

Claims 1-20 were presented in this application. Claims 1, 3, and 12 are amended. In view of the amendments to claims 1, 3 and 12, claims 2, 5, 7, 8, 15 and 16 are canceled without prejudice and to avoid duplication. After entry of this amendment, claims 1, 3, 4, 6, 9-14, and 17-20 are pending.

*Claim Rejections – 35 USC §102(b)*

Claims 1, 4, 12, 14 and 15 are rejected under 35 USC 102(b) as anticipated by Okada (USPN 5,892,587). Claims 1 and 12 are further rejected under 35 USC 102(b) as anticipated by Ishizuka (USPN 5,282,050). In response, independent claims 1 and 12 are amended to clearly distinguish over Okada and Ishizuka.

Claim 1 is amended to include the subject matter of dependent claims 2 and 7 and now recites “wherein the control means indicates an incompletely stored page number to a user when, after the communication control means has dialed the recipient, an amount of space available in the image storage means falls within a predetermined value,” and “wherein information indicating that the transmission is to be continued in a further communication is included in the transmission image”.

Claim 12 is amended to include the subject matter of dependent claim 15. Claim 12 now recites “D) including information indicating that transmission is to be continued in a further communication in the transmission image if obtaining the image in step (A) is interrupted”.

The limitations added to claims 1 and 12 are not disclosed or suggested by either Okada or Ishizuka.

The Action asserts that Okada discloses the subject matter of claims 7 and 8 at col. 12, lines 35-43. Applicant respectfully disagrees. Okada discloses, at col. 12, lines 14-43, that storage processing unit 54 links separate pages together with pointers to data files, such as DFL1, DFL2, etc. Storage processing unit 54 checks whether the registered page is the last page (step 305), and, if not, repeats the

process from step 303 to continue storage processing for subsequent pages. If it is the last page, it performs termination processing (step 306) and prepares to receive the next fax mail information. In this termination processing, the item of the data dividing position contained in the header of the last data file is made the "final." Okada does not disclose or suggest including information in the *transmission image* indicating that the transmission is to be continued in a further communication as required by claims 1 and 12. Okada merely provides a "final" pointer to the final page of the data file that links the last page to the second to the last page.

In contrast, as discussed at page 10, line 12 to page 11, line 2 of applicant's specification, when no more than a predetermined amount of space is available in memory, and document scanning has been interrupted, the present invention determines whether or not this is the last page of the document scanned. When the last scanned page is transmitted, a message such as "to be continued in the next transmission" is added to the transmission originator data. Next, the document page stored in the image memory is transmitted to the transmission recipient along with the transmission originator information. This feature of the present invention provides notice to the recipient that addition pages will be sent. Neither Okada nor Ishizuka disclose or suggest these limitations as recited in claims 1 and 12.

Since Okada and Ishizuka do not disclose or suggest each and every limitation of claims 1 and 12, as amended, it cannot anticipate those claims or claims 4 and 14 dependent thereon. As noted above, claim 15 is canceled, without prejudice, and its rejection is therefore moot.

#### **Claim Rejections – 35 USC §103(a)**

Claims 2-3, 5-10, 13 and 16-18 are rejected under 35 USC 103(a) as obvious over Okada (USPN 5,892,587) in view of Maniwa (USPN 5,768,483). Claims 11 and 19 are rejected as obvious over Okada in view of Ochiai (USPN 5,457,544). Claim 20 is rejected as obvious over Okada in view of Maniwa and Ochiai.

As noted above, claims 2, 5, 7, 8 and 16 are canceled, without prejudice. The rejection of those claims is therefore moot.

Claim 3 is amended into independent form to include the subject matter of claims 1 and 8 and now recites "wherein the control means indicates an incompletely stored page number to a user when, after the communication control means has dialed the recipient, the image storage means becomes full," and "wherein information indicating that the transmission is to be continued in a further communication is included in the transmission image". Thus, claim 3 is allowable for the same reasons as discussed with reference to claims 1 and 12.

Maniwa and Ochiai do not remedy the deficiencies of Okada. Thus, dependent claims 6, 9-11, 13 and 17-20 are allowable for the same reasons as discussed with reference to claims 1 and 12.

### Conclusion

This application is now in condition for allowance. The examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,  
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